

REMARKS

Claims 1, 3-5, 10, 11, 19, and 22-36 remain pending in the present application. New Claim 37 is being added. Applicant respectfully requests reconsideration of the present application and the pending claims.

Claim Rejections – 35 U.S.C. §102(e)

Claims 1, 3-5, 10, 19, 22-25, 27-28, 31, 33-36 were rejected under 35 U.S.C. §102(e) as allegedly being unpatentable over U.S. Patent Application Publication US 2001/0025245 to Flickinger et al. ("Flickinger").

For rejection under 35 U.S.C. 35 U.S.C. §102(e) to be proper, an identical invention must be disclosed in the cited reference. See, MPEP §2131. Because Flickinger does not disclose or suggest every element claimed, that is, an identical invention, as explained below, applicant respectfully traverses the rejection.

As understood by applicant, Flickinger discloses an automatic asset registration process that uses a pre-created electronic file called an E-registrar. The electronic file, which can be stored on a hard drive or in a smart card, for example, contains data specific to the purchaser (Flickinger, par. 0020, 0021, 0023). Each prospective purchaser would have his or her own E-Registrar (Flickinger, par. 0035). The purchaser registers an asset by activating this electronic file. In Flickinger, pre-created E-registrar or a separate electronic file is crucial for the workings of Flickinger. The importance of a pre-created E-registrar in Flickinger is confirmed on reading last 14 lines of paragraph 0036, which explain that this pre-created electronic file (E-registrar)

may be on the user's desktop and integrated into an operating system, and which also describe that an additional application may use the user information from the user's E-registrar to automate filling out forms.

Paragraph 0036 of Flickinger further discloses a transaction in which the purchaser provides the E-registrar to the manufacturer or other party. There, Flickinger explains, "The purchaser would send his personal E-registrar via his web browser or email, which would contain standard information needed for registering; The manufacturer would extract the pertinent information from the E-Registar and register the product, and *the registration process would be accomplished*" (emphasis added). Thus, according to Flickinger the manufacturer automatically registers the purchaser using the information contained in the E-registrar once the manufacturer receives the E-registrar. While Flickinger in paragraph 0036 also mention, "The manufacture [sic] would provide verification of registration and other information (e.g. warranties) either on the spot through the browser or email, or subsequently through other means, such as mail or facsimile," this is only after the fact, that is, after having completed or "accomplished" the registration process as described in that paragraph. Paragraph 0038 further confirm this understanding of Flickinger. In that paragraph, Flickinger explains, "A registration verification or certificate (electronic or otherwise) could be provided to the purchaser *confirming* registration, warranty and other information."

On the other hand, the present application and the claims are directed to automating product registration, for example, in which the information obtained from a purchaser at the time of the sale is also used to register a purchased item, for instance, with a manufacturer. The

information is, for instance, presented on a web page so that the purchaser need not duplicate the effort of entering the similar information when registering the item. Rather, the information is presented to the purchaser to verify and update, if needed. Once the purchaser verifies and/or updates the information, the product registration completes.

In comparison, while Flickinger appears to disclose automatic registration of products by activating its E-registrar, Flickinger does not disclose or suggest every element claimed in independent claims 1, 19, 31, and 33. For example, Flickinger fails to disclose or suggest at least “generating at least one web page using said product registration information and said customer information transmitted to the server of said manufacturer at the time the customer purchases said one or more products to allow the customer to verify and update said product registration information and said customer information” as claimed in claims 1 and 31; and “the server associated with the manufacturer allows the customer to verify and update said product registration information and said customer information” as claimed in claims 19 and 33. Flickinger also does not disclose or suggest “completing a product registration of said one or more products when the customer verifies and updates said product registration information and said customer information” as claimed in claims 1 and 31, and “the server associated with the manufacturer completes a product registration of said one or more products when the customer verifies and updates said product registration information and said customer information” claimed in claims 19 and 33.

The Office Action in Response to Amendments and Arguments section on pages 2-3 cites Flickinger’s paragraphs 0036 and 0038 as allegedly disclosing that element. Contrarily,

however, those paragraphs do not disclose or suggest completing product registration when the customer verifies and updates information as described above. Rather, as understood by applicant, paragraphs 0036 and 0038 suggest that after automatic registration, confirmation of the registration is provided to the purchaser after having accomplished the registration. Flickinger does not appear to provide an opportunity for the customer to verify or update the product registration information and the customer information before completing the registration. Instead, the information is directly taken from Flickinger's pre-created E-registrar.

Further, it appears from reading the Response to Amendments and Arguments section on pages 3 of the instant Office Action that the Examiner is misinterpreting last 14 lines of paragraph 0036 in Flickinger. Those passages of Flickinger, contrary to the assertion advanced in that section of the Office Action, describe that Flickinger's E-registrar may be integrated into an operating system, and an application may use the information in the E-registrar to automate filling out of different forms with the user information. They, however, do not disclose or suggest allowing, "the customer to verify and update said product registration information" as claimed in independent claims of the present application before completing the registration.

The verification and update element recited in independent claims of the present application is useful, for example, if there are errors in or updates to the presented information, or if a particular product was purchased as a gift and the information needs to be changed to reflect the gift recipient's data for that particular product registration.

Therefore, for at least the above reasons, it is believed that Flickinger does not disclose or suggest every element claimed in independent claims 1, 19, 31, and 33 and their respective

dependent claims by virtue of their dependencies.

Claim Rejections – 35 U.S.C. §103(a)

Claims 11, 29-30, and 32 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Flickinger in view of U.S. Patent Application Publication US 2001/0034609 to Dovolis (“Dovolis”). Claim 26 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Flickinger in view of U.S. Patent 6,069,941 to Byrd et al. (“Byrd”).

Claims 11, 29-30 and 32 are dependent claims. Therefore, the same reason provided for independent claims 1, 19, 31 and 33 to distinguish Flickinger applies to claims 11, 29-30 and 32. Further, because Dovolis fails to disclose or suggest what Flickinger lacks, it is believed that Flickinger and Dovolis, taken alone or in combination, do not render claims 11, 29-30 and 32 obvious.

Similarly, claim 26 depends from claim 19. As in discussion of claim 19 above, Flickinger does not disclose, suggest or teach every element claimed independent claim 19. In addition, because Byrd fails to disclose or suggest what Flickinger lacks, applicant believes that Flickinger and Byrd, taken alone or in combination, do not render claim 26 obvious.

While applicant believes that pending claims stand patentable on their own for at least the above reasons, applicant is adding new claim 37, which further distinguishes Flickinger, in that it recites, “at least some of the product registration information being obtained directly from the customer at the time the customer purchases said one or more products, and not from a pre-stored file.” According to Flickinger in paragraph 0035, “Each prospective purchaser would have his or

her own E-Registrar that would contain any and all pertinent information deemed appropriate or necessary by the purchaser or other interested parties.” Therefore, new claim 37 is also believed to be patentable over Flickinger. Support for the new claim may be found in paragraph 0033 where it is described that a clerk requests information from the customer at the time of purchase.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. A favorable Office Action is hereby earnestly solicited. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that the Examiner call applicant’s attorney at (516) 742-4343.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven Fischman", is written over a horizontal line.

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